

November 11, 2004

Charles R. Fulbruge III  
Clerk

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 03-21183  
Summary Calendar

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FLOYD THOMAS ROGERS, SR., as next of kin of minors Rebekah Kwanita Rogers, Jonah Jarrad Rogers, Joelle Rogers; DYKEBA LECOLE ROGERS, as next of kin of minors Rebekah Kwanita Rogers, Jonah Jarrad Rogers, Joelle Rogers,

Plaintiffs-Appellants,

versus

METROPOLITAN TRANSIT AUTHORITY METROLIFT; ARTURO JACKSON, Manager of Metrolift Services; MARY ANN DENDOR, ADA Coordinator for Metrolift Services; SHIRLEY RODRIGUEZ, Appeals Coordinator for Metrolift Services; FIRST TRANSIT INC; JOHN SMITH, Metrolift Driver,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. H-03-CV-3680  
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Before GARZA, DEMOSS, and CLEMENT, Circuit Judges

PER CURIAM:\*

Floyd Thomas Rogers and Dykeba Lecole Rogers seek leave to proceed in forma pauperis (IFP) in the appeal of the dismissal of their suit for want of prosecution. IT IS ORDERED that their motion for leave to proceed IFP is GRANTED.

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

The parties have fully briefed this case. The plaintiffs fail, however, to demonstrate that the district court abused its discretion when it dismissed their case for want of prosecution. See FED. R. CIV. P. 41(b); Al-Ra'id v. Ingle, 69 F.3d 28, 33 (5th Cir. 1995); Gonzales v. Firestone Tire & Rubber Co., 610 F.2d 241, 247 (5th Cir. 1980). Accordingly, the judgment of the district court is AFFIRMED.